

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY ABU DHABI

AMEMBASSY ALGIERS

USINT BAGHDAD

AMEMBASSY BEIRUT

AMEMBASSY BRUSSELS

AMEMBASSY KHARTOUM

AMEMBASSY KUWAIT

AMEMBASSY LONDON

AMEMBASSY MANAMA

AMEMBASSY MOSCOW

AMEMBASSY MUSCAT

AMEMBASSY PARIS

AMEMBASSY RABAT

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FOLLOWING REPEAT USUN 4167 ACTION SECSTATE INFO AMMAN CAIRO
DAMASCUS JIDDA TEL AVIV JERUSALEM OCT 28.

QUOTE UNCLAS USUN 4167

E.O. 11652: N/A

TAGS: PORG, XF

SUBJECT: YOUNG'S STATEMENT ON GENERAL ASSEMBLY ITEM ON
ISRAELI MEASURES IN THE OCCUPIED TERRITORIES

1. AMB YOUNG DELIVERED THE BELOW STATEMENT IN EXPLANATION

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OF VOTE ON THE EGYPTIAN ITEM ON THE OCCUPIED TERRITORIES ON
OCTOBER 28 AT 4:45 PM.

2. QUOTE

MR. PRESIDENT:

THE ISSUE PRESENTLY UNDER CONSIDERATION BY THIS ASSEMBLY HAS BEEN A MATTER OF DEEP CONCERN TO MY GOVERNMENT SINCE 1967. THE REPRESENTATIVES OF THE UNITED STATES HAVE, ON MANY OCCASIONS IN THE UNITED NATIONS AND ELSEWHERE, STATED OUR POSITION IN REGARD TO ISRAELI CIVILIAN SETTLEMENTS IN THE TERRITORIES OCCUPIED IN 1967.

THERE ARE TWO ELEMENTS TO OUR POSITION. FIRST, WE ARE OPPOSED TO THESE SETTLEMENTS BECAUSE THEY COULD BE PERCEIVED AS PREJUDGING THE OUTCOME OF NEGOTIATIONS TO DEAL WITH THE TERRITORIAL ASPECTS OF FINAL PEACE TREATIES. THE SETTLEMENTS THUS INEVITABLY COMPLICATE THE ALREADY DIFFICULT PROCESS OF NEGOTIATION.

SECONDLY, WE BELIEVE THAT ISRAELI CIVILIAN SETTLEMENTS IN OCCUPIED TERRITORIES ARE INCONSISTENT WITH INTERNATIONAL LAW AS DEFINED IN THE FOURTH GENEVA CONVENTION. IN MARCH 1976, AMBASSADOR SCRANTON, SPEAKING TO THE SECURITY COUNCIL, DESCRIBED THE UNITED STATES POSITION AS FOLLOWS:

"...MY GOVERNMENT BELIEVES THAT INTERNATIONAL LAW SETS THE APPROPRIATE STANDARDS. AN OCCUPIER MUST MAINTAIN THE OCCUPIED AREAS AS INTACT AND UNALTERED AS POSSIBLE, WITHOUT INTERFERING WITH UNCLASSIFIED

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THE CUSTOMARY LIFE OF THE AREA, AND ANY CHANGES MUST BE NECESSITATED BY THE IMMEDIATE NEEDS OF THE OCCUPATION AND BE CONSISTENT WITH INTERNATIONAL LAW. THE FOURTH GENEVA CONVENTION SPEAKS DIRECTLY TO THE ISSUE OF POPULATION TRANSFER IN ARTICLE 49: "THE OCCUPYING POWER SHALL NOT DEPORT OR TRANSFER PARTS OF ITS OWN CIVILIAN POPULATION INTO THE TERRITORY IT OCCUPIES." CLEARLY THEN SUBSTANTIAL RESETTLEMENT OF THE ISRAELI CIVILIAN POPULATION TO OCCUPIED TERRITORIES, INCLUDING IN EAST JERUSALEM, IS ILLEGAL UNDER THE CONVENTION AND CANNOT BE CONSIDERED TO HAVE PREJUDGED THE OUTCOME OF FUTURE NEGOTIATIONS BETWEEN THE PARTIES ON THE LOCATION OF THE BORDERS OF STATES OF THE MIDDLE EAST."

MR. PRESIDENT, I HAVE STATED OUR POSITION IN THE clearest possible terms. THE RESOLUTION BEFORE US TODAY IS CONSISTENT IN MOST RESPECTS WITH THE POSITION OF THE UNITED STATES. HOWEVER, THE UNITED STATES HAS ACCEPTED A SPECIAL RESPONSIBILITY AS

CO-CHAIRMAN OF THE GENEVA MIDDLE EAST PEACE CONFERENCE.
THAT RESPONSIBILITY REQUIRES THAT WE REMAIN IMPARTIAL
AND STAND APART FROM ANY EFFORT OF THIS SORT WHICH COULD
BE UNDERSTOOD AS INVOLVING THE COMPLEX ISSUES WHICH WILL
BE CONSIDERED AT GENEVA. THUS, MR. PRESIDENT, WE HAVE
ABSTAINED ON THIS RESOLUTION.

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